

**SUPREME COURT MINUTES
WEDNESDAY, APRIL 9, 2003
SAN FRANCISCO, CALIFORNIA**

S024642

PEOPLE v. BURGNER (MICHAEL RAY)
Rehearing denied

Opinion modified. No change in judgment.

S094627

D034189 Fourth Appellate District,
Division One

PEOPLE v. ROBERGE (JOSEPH A.)
Rehearing denied

S113201

B156438 Second Appellate District,
Division Three

HONEYWELL v. W.C.A.B. (WAGNER)
Petitions for review granted (civil case)

Request for Judicial Notice Granted.

Votes: George, CJ., Kennard, Baxter,
Werdegar, Chin, and Moreno, JJ.

S113305

B156158 Second Appellate District,
Division Five

NORTHWEST AIRLINES v. ONTARIO AIRCRAFT
Petition for review granted (civil case)

Votes: George, CJ., Kennard, Baxter,
Werdegar, Chin, Brown and Moreno, JJ.

S113359

G028272 Fourth Appellate District,
Division Three

ANAHEIM, CITY OF v. NOLAN
Petition for review granted (civil case)

Votes: George, CJ., Kennard, Baxter,
Werdegar, Chin, Brown and Moreno, JJ.

S113466

C038753 Third Appellate District

MARINE FORESTS SOCIETY v. COASTAL
Petition for review granted; issues limited (civil case)

Request for judicial notice granted.

In addition to the issue set forth in the
petition for review, the parties are requested to
brief the following issues:

(1) Assuming the Commission's decision
in the present case is constitutionally defective
in the manner stated by the Court of

Appeal, what is the appropriate remedy available to Marine Forests Society?

(2) What effect would the holding of the Court of Appeal have on past and other currently pending decisions of the California Coastal Commission?

(3) Does the February 20, 2003 amendment to Public Resources Code section 30312 eliminate the separation-of-powers defect found by the Court of Appeal, or is the composition of the Coastal Commission still vulnerable to a separation-of-powers challenge?

Votes: George, CJ., Kennard, Baxter, Werdegarr, Chin, Brown and Moreno, JJ.

S113699

G029531 Fourth Appellate District,
Division Three

MANDEL (ELLEN) v. HOUSEHOLD BANK
Petition for review granted (civil case)

Votes: George, CJ., Baxter, Werdegarr, and Moreno, JJ.

S113725

B161305 Second Appellate District,
Division One

DISCOVER BANK v. S.C. (BOEHR)
Petition for review granted (civil case)

Votes: George, CJ., Kennard, Baxter, Werdegarr, Chin, Brown and Moreno, JJ.

S113929

B153455 Second Appellate District,
Division Six

PEOPLE v. BROWN (CORNELL C.)
Petition for review granted (criminal case)

Votes: George, CJ., Kennard, Werdegarr, Brown and Moreno, JJ.

S057313

RAY (CLARENCE) ON H.C.
Petition for writ of habeas corpus denied (AA)

The petition for writ of habeas corpus, filed on November 14, 1996, is denied.

The third subclaim of the first claim (see petn., p. 10) is dismissed as premature. (See

People v. Kelley (1992) 1 Cal.4th 495, 545, fn. 11.)

Except for the third subclaim of the first claim (see petn., p. 10), each claim is denied on the merits.

Except for the third subclaim of the first claim (see petn., p. 10), each claim is procedurally barred, separately and independently, as untimely. (See *In re Robbins* (1998) 18 Cal.4th 770, 780-781; *In re Clark* (1993) 5 Cal.4th 750, 763-799.)

The twelfth claim (see petn., p. 75) is procedurally barred, separately and independently, as pretermitted in the sense that it could have been, but was not, raised on appeal. (See *In re Harris* (1993) 5 Cal.4th 813; *In re Dixon* (1953) 41 Cal.2d 756, 759.)

With the exception of the third subclaim of the first claim, which she agrees should be dismissed as premature, Justice Brown would deny all of the claims solely on the merits.

S113145
B139066 Second Appellate District,
Division Two

PEOPLE ex rel BILL LOCKYER, as ATTORNEY v.
GENERAL, etc. v. FREMONT LIFE INSURANCE
Petition for review denied

S113187
A093974 First Appellate District,
Division Three

AMERICAN HOME ASSURANCE et al. v.
SOCIETE COMMERCIALE TOUTELECTRIC
Petition for review denied

Chin, J., was recused and did not participate.

S113189
B144014 Second Appellate District,
Division Three

PEOPLE v. FIRST FEDERAL CREDIT UNION et al.
Petition for review denied

S113204
A097386 First Appellate District,
Division Four

ISCHEMIA RESEARCH & EDUCATION v.
ARTHUR ANDERSEN LLP
Petition for review denied

S113206
H022748 Sixth Appellate District

SHERMAN v. MASTER PROTECTION CORP.
Petition for review denied

S113213

B154729 Second Appellate District,
Division Two

HERMANN et al. v. STEINBERG et al.
Petitions for review denied

S113219

H021472 Sixth Appellate District

PEOPLE v. WILSON (RICK J.)
Petition for review denied

S113259

A095029 First Appellate District,
A095939 Division One

MCBRIDE et al. v. ESTRADA et al.
Petitions for review & publication request denied

S113297

A098186 First Appellate District,
Division Two

FLYNT v. CALIFORNIA GAMBLING
CONTROL COMMISSION et al.
Petition for review denied

S113316

F038316 Fifth Appellate District

PEOPLE v. DEATS (CARSON J.)
Petition for review denied

S113348

B159101 Second Appellate District,
Division Five

QUEEN OF ANGELS v. W.C.A.B. (GABRI)
Petition for review denied

S113426

B129601 Second Appellate District,
Division One

DART INDUSTRIES, INC. v. COMMERCIAL
UNION INSURANCE CO.
Petition for review & publication requests denied

S113440

C038739 Third Appellate District

MCADAMS (JAMES BERTRAM), ESTATE OF
Petition for review & depublication requests denied

S113470

C038663 Third Appellate District

PLATZER et al. v. MAMMOTH MOUNTAIN SKI
Petition for review denied

S113471

A097903 First Appellate District,
Division Five

WIMS v. CHEVRON U.S.A.
Petition for review denied

Kennard, J., was recused and did not
participate.

S113533

B153064 Second Appellate District,
Division Three

ZWEIG et al. v. KWON et al.

Petition for review & publication request denied

S113542

B153141 Second Appellate District,
Division Three

COURT YARDS OF WEST HOLLYWOOD

HOMEOWNERS v. FINE (MARTIN)

Petition for review denied

S113550

G029347 Fourth Appellate District,
Division Three

GAMMOH (BADI A.) v. CITY OF ANAHEIM

Petition for review denied

S113562

B159683 Second Appellate District,
Division Seven

PEOPLE v. MARSHALL (DERRICK S.)

Petition for review denied

S113563

C040802 Third Appellate District

A. (F.), IN RE

Petition for review denied

S113566

A101528 First Appellate District,
Division Four

ALASKA AIRLINES v. S.C. (TALL CLUB)

Petition for review and application for stay denied

S113575

G027720 Fourth Appellate District,
Division Three

PEOPLE v. NGUYEN (PHONG Q.)

Petition for review denied

S113584

B154786 Second Appellate District,
Division Five

PEOPLE v. AUGBORNE

Petition for review denied

Werdegar, J., Chin, J., and Moreno, J., are of
the opinion review should be granted.

S113587

C038247 Third Appellate District

PEOPLE v. GRABOWSKI (EDWARD V.)

Petition for review denied

S113600

B153100 Second Appellate District,
B163535 Division Four

PEOPLE v. NOBLE (JOSEPH)

Petition for review denied

S113605

B155830 Second Appellate District,
Division Two

PEOPLE v. MARSH (ALPHONSO)

Petition for review denied

S113618

G030392 Fourth Appellate District,
Division Three

PEOPLE v. GAYTAN (CEDRICK)

Petition for review denied

S113624

F037524 Fifth Appellate District

KELLY (BARBARA) v. PETERSEN (JAMES)

Petition for review denied

Baxter, J., was recused and did not participate.

S113638

B163987 Second Appellate District,
Division Five

BROWN (RONNIE) v. S.C. (PEOPLE)

Petition for review denied

S113639

C040635 Third Appellate District

PEOPLE v. DAVIS (REGINALD)

Petition for review denied

Baxter, J., is of the opinion review should be granted.

S113661

A096467 First Appellate District,
Division Four

PEOPLE v. GILMORE (CARY)

Petition for review denied

S113667

C039584 Third Appellate District

B. (ALEXANDER) IN RE

Petition for review denied

S113671

G028955 Fourth Appellate District,
Division Three

SHEA v. HOUSEHOLD BANK

Petition for review denied

S113680

A095988 First Appellate District,
Division Five

MILLER v. GARVIN

Petition for review denied

S113682

C039622 Third Appellate District

PEOPLE v. SHAYNE

Petition for review denied

S113684B164276 Second Appellate District,
Division Two

SANDERS v. DEITCH

Petition for review denied

S113688B151441 Second Appellate District,
Division Two

PEOPLE v. ZAVALA et al.

Petitions for review denied

S113693E030171 Fourth Appellate District,
Division Two

PEOPLE v. AHDOM

Petition for review denied

S113696G027593 Fourth Appellate District,
G027955 Division Three

RAYBURN v. VONS COMPANIES INC.

Petition for review denied

S113698B156616 Second Appellate District,
B162384 Division Seven

PEOPLE v. HERNANDEZ et al.

Petitions for review denied

S113708B154314 Second Appellate District,
Division SevenJ.S.J.F. CORPORATION v. SIZZLER
INTERNATIONAL INC.

Petition for review denied

S113714B153050 Second Appellate District,
Division Two

PEOPLE v. SAMPSON

Petition for review denied

S113716B164754 Second Appellate District,
Division Seven

EVANS v. S.C. (W.C.A.B.)

Petition for review denied

S113721A098863 First Appellate District,
Division FivePEOPLE FOUNDATION FOR TAXPAYERS AND
CONSUMERS RIGHT v. DUQUE

Petition for review denied

S113736

B155798 Second Appellate District,
Division Two

INTER-CAL CONTRACT CARRIERS v. BOYD
Petition for review denied

S113742

B152689 Second Appellate District,
Division Eight

INGERSON v. 20TH CENTURY FOX
Petition for review denied

S113745

B156437 Second Appellate District,
Division Four

PEOPLE v. PEREZ et al.
Petitions for review denied

S113746

E032039 Fourth Appellate District,
Division Two

ROTOLO CHEVROLET v. S.C. (STAUDT)
Petition for review denied

S113749

H022565 Sixth Appellate District

PEOPLE v. PACINI
Petition for review denied

S113753

H022640 Sixth Appellate District

PEOPLE v. LAYMAN
Petition for review denied

S113756

B164036 Second Appellate District,
Division Five

CRUSE (MYRON) ON H.C.
Petition for review denied

S113760

C040941 Third Appellate District

PEOPLE v. WOODS
Petition for review denied

S113773

B158300 Fourth Appellate District,
Division Three

PEOPLE v. ODOM
Petition for review denied

S113776

A095023 First Appellate District,
A093802 Division Two

PEOPLE v. LEWIS
Petition for review denied

S113777

D039615 Fourth Appellate District,
Division One

SAVE OUR NTC INC. v. SAN DIEGO, CITY OF
Petition for review denied

S113780

B157338 Second Appellate District,
Division Five

PEOPLE v. NUNEZ
Petition for review denied

S113781

B156975 Second Appellate District,
Division Six

PEOPLE v. RODRIGUEZ
Petition for review denied

S113790

H023746 Sixth Appellate District

PEOPLE v. WYMAN
Petition for review denied

S113792

B157897 Second Appellate District,
Division One

PEOPLE v. CORTEZ
Petition for review denied

S113794

C036519 Third Appellate District

PEOPLE v. WAGES
Petitions for review denied

S113795

H024086 Sixth Appellate District

PEOPLE v. REYES
Petition for review denied

S113797

H023298 Sixth Appellate District

PEOPLE v. CARMICHAEL
Petition for review denied

S113800

D038579 Fourth Appellate District,
Division One

PEOPLE v. SOLIS
Petition for review denied

S113801

D040580 Fourth Appellate District,
Division One

PEOPLE v. S.C. (BRADWAY)
Petition for review denied

Kennard, J., Werdegarr, J., and Moreno, JJ., are
of the opinion review should be granted.

S113804

B156478 Second Appellate District,
Division Five

PEOPLE v. WRIGHT

Petition for review denied

S113807

F039208 Fifth Appellate District

PEOPLE v. FRANKLIN

Petition for review denied

S113812

H024307 Sixth Appellate District

K. (ANGEL), IN RE

Petition for review denied

S113813

A101467 First Appellate District,
Division Two

U.S. AVIATION UNDERWRITERS v. S.C.
(GATX/AIRLOG COMPANY)

Petition for review denied

S113815

H024517 Sixth Appellate District

S. (YANCARDO), IN RE

Petition for review denied

S113819

A101432 First Appellate District,
Division Two

NATIONAL UNION FIRE INSURANCE v. S.C.
(GATX/AIRLOG COMPANY)

Petition for review denied

S113821

E030920 Fourth Appellate District,
Division Two

PEOPLE v. BORYLA

Petition for review denied

S113822

C040882 Third Appellate District

PEOPLE v. MARKS

Petition for review denied

S113824

C032511 Third Appellate District

PEOPLE v. PITTMAN

Petition for review denied

S113826

B157261 Second Appellate District,
Division Seven

PEOPLE v. GONZALEZ

Petition for review denied

S113827

B151821 Second Appellate District,
Division Three

PEOPLE v. WOODS

Petition for review denied

S113829

H024094 Sixth Appellate District

PEOPLE v. WU

Petition for review denied

S113830

C037951 Third Appellate District

PEOPLE v. MORALES

Petition for review denied

S113831B157481 Second Appellate District,
Division Five

C., (ROBERTO), IN RE

Petition for review denied

S113832A101624 First Appellate District,
Division One

TOLLIVER (DARRYL L.) ON H.C.

Petition for review denied

S113834B158052 Second Appellate District,
Division Five

PEOPLE v. GOVEY

Petition for review denied

S113839B156986 Second Appellate District,
Division Four

PEOPLE v. MARTINEZ

Petition for review denied

S113842G030058 Fourth Appellate District,
Division Three

PEOPLE v. QAZZA

Petition for review denied

S113843D038015 Fourth Appellate District,
D038307 Division One

PEOPLE v. RAJA

Petition for review denied

S113850D038572 Fourth Appellate District,
D038600 Division One

PEOPLE v. WILLIAMS

Petition for review denied

S113857B159119 Second Appellate District,
Division Two

PEOPLE v. VILLANUEVA

Petition for review denied

S113859

B152878 Second Appellate District,
Division Two

PEOPLE v. CLIETT

Petition for review denied

S113860

B149816 Second Appellate District,
Division Eight

PEOPLE v. HUMPHREY

Petition for review denied

S113868

C042887 Third Appellate District

CENTER UNIFIED v. W.C.A.B. (KRAENZEL)

Petition for review denied

S113881

B155073 Second Appellate District,
Division Five

PEOPLE v. CHOE

Petition for review denied

S113883

D040437 Fourth Appellate District,
Division One

I. (J), IN RE

Petition for review denied

S113884

B151306 Second Appellate District,
Division Two

PEOPLE v. SOSA

Petition for review denied

S113886

B153747 Second Appellate District,
Division Three

PEOPLE v. FRANKLIN

Petition for review denied

S113887

C038855 Third Appellate District

PEOPLE v. ARRIAGA

Petitions for review denied

S113888

B152175 Second Appellate District,
Division Six

PEOPLE v. ABRAHAM

Petition for review denied

S113889

D039665 Fourth Appellate District,
Division One

PEOPLE v. BATES

Petition for review denied

S113891

A095735 First Appellate District,
Division One

PEOPLE v. STOVALL

Petition for review denied

S113892

B150775 Second Appellate District,
Division Four

PEOPLE v. ARCILA

Petition for review denied

S113893

B154714 Second Appellate District,
Division Seven

PEOPLE v. SHAFFER

Petition for review denied

S113896

B154743 Second Appellate District,
Division Seven

PEOPLE v. AGUILAR

Petition for review denied

S113901

A101138 First Appellate District,
Division Three

MOORE v. S.C. (PEOPLE)

Petition for review denied

S113902

F039094 Fifth Appellate District
F039613

PEOPLE v. RIOS

Petition for review denied

S113908

F038263 Fifth Appellate District

PEOPLE v. RAMIREZ

Petition for review denied

S113909

B150926 Second Appellate District,
Division Three

PEOPLE v. GREEN

Petition for review denied

S113910

F039047 Fifth Appellate District

PEOPLE v. WHITE

Petition for review denied

S113911

B155346 Second Appellate District,
Division Six

PEOPLE v. GONZALES

Petition for review denied

S113913

A096986 First Appellate District,
Division One

PEOPLE v. PIPER

Petition for review denied

S113915

A097987 First Appellate District,
Division Four

PEOPLE v. THOMAS

Petition for review denied

S113918

E029896 Fourth Appellate District,
Division Two

PEOPLE v. HAWKINS

Petition for review denied

S113920

F038259 Fifth Appellate District

PEOPLE v. GARY

Petition for review denied

S113921

B156960 Second Appellate District,
Division Five

PEOPLE v. HWANG

Petition for review denied

Kennard, J., is of the opinion review should be
granted.

S113922

F040828 Fifth Appellate District

D. (SARA), IN RE

Petition for review denied

S113930

A098185 First Appellate District,
Division Five

PEOPLE v. NIGRO

Petition for review denied

S113933

G028670 Fourth Appellate District,
Division Three

PEOPLE v. BRADLEY

Petition for review denied

S113936

B153420 Second Appellate District,
Division Seven

PEOPLE v. REALES

Petition for review denied

S113937

B156101 Second Appellate District,
Division Two

PEOPLE v. BANKS

Petition for review denied

S113945

B154749 Second Appellate District,
Division Four

PEOPLE v. GARCIA

Petition for review denied

S113947

H025271 Sixth Appellate District

CONTRERAS (LUIS E.) ON H.C.

Petition for review denied

S113948

F040353 Fifth Appellate District

PEOPLE v. COOKSEY

Petition for review denied

S113949

F038011 Fifth Appellate District

PEOPLE v. BELTRAN

Petition for review denied

S113950

E029984 Fourth Appellate District,
Division Two

PEOPLE v. DEAN

Petition for review denied

S113953

C041222 Third Appellate District

PEOPLE v. ADAMS

Petition for review denied

S113957

H023396 Sixth Appellate District

PEOPLE v. MUNIZ

Petition for review denied

S113960

F039897 Fifth Appellate District

PEOPLE v. RAMIREZ

Petition for review denied

S113964

G029137 Fourth Appellate District,
G031404 Division Three

PEOPLE v. RUIZ

Petition for review denied

S113965

A096987 First Appellate District,
Division Two

PEOPLE v. SCHABEN

Petition for review denied

S113967

F039241 Fifth Appellate District

PEOPLE v. KABALUK

Petition for review denied

S113968

B153600 Second Appellate District,
Division Seven

PEOPLE v. BROWN

Petition for review denied

S113970

C040044 Third Appellate District

PEOPLE v. WOODWARD

Petitions for review denied

S113971

A098764 First Appellate District,
Division Three

PEOPLE v. SAMPSON

Petition for review denied

S113972

A101295 First Appellate District,
Division Three

MCINERNEY v. S.C. (CATHOLIC HEALTHCARE
WEST)

Petition for review denied

S113977

F038614 Fifth Appellate District

PEOPLE v. GUPTON

Petition for review denied

S113983

B149899 Second Appellate District,
Division Five

PATEL v. EL-REFAI

Petition for review denied

S113988

B157241 Second Appellate District,
Division Four

MIRZAIE v. EISENSTEIN

Petition for review denied

S113989

F037358 Fifth Appellate District

PEOPLE v. VERA

Petition for review denied

Baxter, J., was recused and did not participate.

S113991

B159218 Second Appellate District,
Division Four

PEOPLE v. RAMOS

Petition for review denied

S113996

B155068 Second Appellate District,
Division One

T. (GRANVILLE), IN RE

Petition for review denied

S113997

B155788 Second Appellate District,
Division Eight

MITCHELL SILBERBERG v. COHEN

Petition for review denied

S113998

B153902 Second Appellate District,
Division Seven

PEOPLE v. ANDRADE

Petition for review denied

S114002

C034998 Third Appellate District

PEOPLE v. EGY

Petition for review denied

S114004

B152706 Second Appellate District,
Division Eight

AKOPOFF v. AKOPOFF

Petition for review denied

S114005

B158301 Second Appellate District,
Division Four

PEOPLE v. FALCONER

Petition for review denied

S114006

H023510 Sixth Appellate District

PEOPLE v. GRIMES

Petition for review denied

S114007

B159448 Second Appellate District,
Division One

P. (TRAYVEON), IN RE

Petition for review denied

S114008

H022414 Sixth Appellate District

PEOPLE v. CATA

Petition for review denied

S114010

F038541 Fifth Appellate District

PEOPLE v. PEREZ-MODRAGON

Petition for review denied

Baxter, J., was recused and did not participate.

S114014

B155926 Second Appellate District,
Division One

LEE v. AHN

Petition for review denied

S114015

B151318 Second Appellate District,
Division Two

PEOPLE v. MARTINEZ
Petition for review denied

S114016

B147677 Second Appellate District,
Division Eight

PEOPLE v. LATTIER
Petition for review denied

S114018

B163947 Second Appellate District,
Division Four

BEAL BANK v. S.C. (NG FINANCIAL)
Petition for review denied

Request for judicial notice denied.

S114020

B147571 Second Appellate District,
Division Three

TOWER ACTON HOLDINGS v. LOS ANGELES
COUNTY
Petition for review denied

S114021

B156764 Second Appellate District,
Division One

E. (TIARA) IN RE
Petition for review denied

S114024

H023672 Sixth Appellate District

PEOPLE v. DANDRIDGE
Petition for review denied

S114026

F039286 Fifth Appellate District

PEOPLE v. CONWAY
Petition for review denied

S114027

FINE v. CLERK, SUPREME COURT (DEFLORES)
Petition for writ of mandate denied

S114028

A090642 First Appellate District,
Division Two

PEOPLE v. PIPPINS
Petition for review denied

S114029

A097332 First Appellate District,
Division One

PEOPLE v. WESLEY
Petition for review denied

S114030

B156794 Second Appellate District,
Division Four

PEOPLE v. MARTINEZ
Petition for review denied

S114031

A098262 First Appellate District,
Division Five

W.(BRYAN), IN RE
Petition for review denied

S114032

F038145 Fifth Appellate District

PEOPLE v. BRIENO
Petition for review denied

Kennard, J., is of the opinion review should be
granted.

S114036

B154802 Second Appellate District,
Division Six

PEOPLE v. JACKSON
Petition for review denied

S114042

F040255 Fifth Appellate District

PEOPLE v. LEWIS
Petition for review denied

S114045

C038636 Third Appellate District
C039109

PEOPLE v. JANSEN
Petition for review denied

S114047

F037563 Fifth Appellate District

PEOPLE v. LEWIS
Petition for review denied

Kennard, J., is of the opinion review should be
granted.

S114049

F042232 Fifth Appellate District

ACEVEDO (JAVIER), ON H.C.
Petition for review denied

S114050

E031489 Fourth Appellate District,
Division Two

KNIESLEY v. WATNIK
Petition for review denied

S114051

B158124 Second Appellate District,
Division Three

THALER v. SHERNOFF, BIDART, DARRAS
Petition for review denied

S114052

F040461 Fifth Appellate District

P. (S.), IN RE
Petition for review denied

S114055

B155746 Second Appellate District,
Division Six

PEOPLE v. STEPHENSON
Petition for review denied

S114057

G029985 Fourth Appellate District,
Division Three

PEOPLE v. MUCCILLO
Petition for review denied

S114061

B156884 Second Appellate District,
Division Six

PEOPLE v. ANDERSON
Petition for review denied

S114062

B158947 Second Appellate District,
Division Five

T. (ALYNN), IN RE
Petition for review denied

S114064

E031789 Fourth Appellate District,
Division Two

O. (JESSICA), IN RE
Petition for review denied

S114068

A094429 First Appellate District,
Division Four

PEOPLE v. HAYLES
Petition for review denied

S114071

B156724 Second Appellate District,
Division Two

PEOPLE v. DIXON
Petition for review denied

S114072

B156431 Second Appellate District,
Division Two

PEOPLE v. MCKENZIE
Petition for review denied

S114073

A096449 First Appellate District,
Division Three

PEOPLE v. WEBB

Petition for review denied

S114074

B153101 Second Appellate District,
Division Three

PEOPLE v. GRAHAM

Petition for review denied

S114075

B155461 Second Appellate District,
Division Six

PEOPLE v. ESCAMILLA

Petition for review denied

S114077

B158499 Second Appellate District,
Division Three

PEOPLE v. WHITE

Petition for review denied

S114078

C039164 Third Appellate District

PEOPLE v. SOTO

Petition for review denied

S114083

G028370 Fourth Appellate District,
Division Three

PEOPLE v. MORALES

Petition for review denied

S114084

B153476 Second Appellate District,
Division Three

PEOPLE v. KERSH

Petition for review denied

S114085

C041317 Third Appellate District

K. (CHARLES), IN RE

Petition for review denied

S114087

C041696 Third Appellate District

PEOPLE v. TAUBMAN

Petition for review denied

S114090

D038921 Fourth Appellate District,
Division One

PEOPLE v. MOSTRONG

Petition for review denied

S114092

H023172 Sixth Appellate District

PEOPLE v. COVEY

Petition for review denied

S114093

H024617 Sixth Appellate District

COVEY (MATTHEW PAUL) ON H.C.

Petition for review denied

S114095B153905 Second Appellate District,
Division Two

PEOPLE v. MARTIN

Petition for review denied

S114100

F038473 Fifth Appellate District

PEOPLE v. OJEDA

Petition for review denied

Baxter, J., was recused and did not participate.

S114103A097209 First Appellate District,
Division Five

PEOPLE v. OSSMAN

Petition for review denied

S114107

C041115 Third Appellate District

PEOPLE v. BELTON

Petition for review denied

S114110B162659 Second Appellate District,
Division Five

NOVATO, CITY OF v. W.C.A.B. (MANNING)

Petition for review denied

S114115B156592 Second Appellate District,
Division Three

PEOPLE v. MCGEE

Petition for review denied

S114118E030854 Fourth Appellate District,
Division Two

PEOPLE v. CABRAL

Petition for review denied

S114122

C040314 Third Appellate District

A. (DEREK) IN RE

Petition for review denied

S114130

G029919 Fourth Appellate District,
Division Three

PEOPLE v. GONZALEZ
Petition for review denied

S114136

B155668 Second Appellate District,
Division Two

PEOPLE v. MYERS
Petition for review denied

S114140

C038248 Third Appellate District

PEOPLE v. WOMACK
Petition for review denied

S114142

C039131 Third Appellate District

PEOPLE v. HUBBARD
Petition for review denied

S114156

B164122 Second Appellate District,
Division One

PEOPLE v. SHABAZZ
Petition for review denied

S114159

A098959 First Appellate District,
Division Four

BHANDAL v. CSK AUTOMOTIVE
Petition for review denied

S114301

G031481 Fourth Appellate District,
Division Three

G. (MICHAEL), IN RE
Application to transfer denied

S114718

C043530 Third Appellate District

GARVEY v. S.C. (PEOPLE)
Petition for review and application for stay denied

S103597

VERNON (KENNETH) ON H.C.
Petition for writ of habeas corpus denied

S105655

MCGHEE (RODERICK) ON H.C.
Petition for writ of habeas corpus denied

S107174

CARTER (DANIEL) ON H.C.
Petition for writ of habeas corpus denied

S107939

SIMMONS (PIERRE EVANS) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

S107997

NESBITT (KEITH) ON H.C.
Petition for writ of habeas corpus denied

S108248

MOWER (JEAN) ON H.C.
Petition for writ of habeas corpus denied

S108609

ROSS (ALVIN R.) ON H.C.
Petition for writ of habeas corpus denied

S108743

VALDIVIA (NOEL) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

Brown, J., was recused and did not participate.

S109030

BOWMAN (DEAUNDRE L.) ON H.C.
Petition for writ of habeas corpus denied

S109114

THOMAS (JEFFREY) ON H.C.
Petition for writ of habeas corpus denied

S109117

LEONARD (GIOVANNI) ON H.C.
Petition for writ of habeas corpus denied

S109232

BELL (HORACE) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

S109246

SMITH (REGINALD) ON H.C.
Petition for writ of habeas corpus denied

S109262

GRAVES (DAVID M.) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

S109263

CHAPMAN (WILLIAM PAIGE) ON H.C.
Petition for writ of habeas corpus denied

S109271

COGLIANESE (GREGORY) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

S109272

COGLIANESE (GREGORY) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

Brown, J., was recused and did not participate.

S109335

COOPER (DAVID CROCKETT) ON H.C.
Petition for writ of habeas corpus denied

S109339

MCCRAY (KIMOTHY R.) ON H. C.
Petition for writ of habeas corpus denied with
citation(s)

S109427

LOTTEN (MAURICE) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

S109434

MADRID (CONRAD J.) ON H.C.
Petition for writ of habeas corpus denied

S109443

RODRIGUEZ (LUIS) H.C.
Petition for writ of habeas corpus denied with
citation(s)

S109444

JEFFERSON (ANTHONY D.) ON H.C.
Petition for writ of habeas corpus denied

S109479	DEVRIES (DOUGLAS REID) ON H.C. Petition for writ of habeas corpus denied
S109491	LEON (ADELFINO) ON H.C. Petition for writ of habeas corpus denied
S109516	GONZALES (ERICK R.) ON H.C. Petition for writ of habeas corpus denied
S109523	FIELDS (KEVIN E.) ON H.C. Petition for writ of habeas corpus denied
S109552	JENNINGS (JAMES MARTIN) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S109561	FRASHER (JOHN E.) ON H.C. Petition for writ of habeas corpus denied
S109596	VANG (CARRY JOE) ON H.C. Petition for writ of habeas corpus denied
S109610	PENA (DOUGLAS ALONZO) ON H. C. Petition for writ of habeas corpus denied
S109632	GASTON (ANTHONY) ON H.C. Petition for writ of habeas corpus denied
S109637	DIXON (BOBBY MARION) ON H.C. Petition for writ of habeas corpus denied
S109645	WILLIAMS (ANTOINE) ON H.C. Petition for writ of habeas corpus denied
S109670	HEFFLIN (AARON) ON H.C. Petition for writ of habeas corpus denied with citation(s)

S109680	HENDERSON (STEVEN) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S109698	MURDAUGH (DONALD) ON H.C. Petition for writ of habeas corpus denied
S109776	ISLAS (RICHARD) ON H.C. Petition for writ of habeas corpus denied
S109812	WASHINGTON (WARREN E.) ON H.C. Petition for writ of habeas corpus denied
S110417	EVANS (WARDY) ON H.C. Petition for writ of habeas corpus denied
S110501	WILLIAMS (ANTOINE) ON H.C. Petition for writ of habeas corpus denied
S110521	DALE (DEXTER) ON H.C. Petition for writ of habeas corpus denied
S111030	FREDERICK (VINCENT) ON H.C. Petition for writ of habeas corpus denied
S111132	ROYAL (WILLIAM) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111134	GRAHAM (MARC A.) ON H.C. Petition for writ of habeas corpus denied
S111160	AMOS (TARRELL A.) ON H.C. Petition for writ of habeas corpus denied with citation(s)

S111182	SWEET (MICHAEL A.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111195	WILLIAMS (KEITH L.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111197	FITZGERALD (RHASAAN T.) ON H.C. Petition for writ of habeas corpus denied
S111201	CUEVAS (RICHARD A.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111207	QAZZA (SULEIMAN) ON H.C. Petition for writ of habeas corpus denied
S111211	MILLION (CHARLIE L.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111215	AINTABLIAN (ARA) ON H.C. Petition for writ of habeas corpus denied
S111242	WALL (TENNIRO C.) ON H.C. Petition for writ of habeas corpus denied
S111287	CARRERA (ARTHUR A.) ON H.C. Petition for writ of habeas corpus denied
S111332	MARTHA (MIGUEL) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111353	GRIFFITH (DONALD) ON H.C. Petition for writ of habeas corpus denied with citation(s)

S111358	SUH (DAE JIN) ON H.C. Petition for writ of habeas corpus denied
S111371	BAUTISTA (ESTEBAN V.) ON H.C. Petition for writ of habeas corpus denied
S111376	PANTALEON (CESAR) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111383	HAMPTON (DWAYNE A.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111385	GARCIA (ROBERT) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111411	BADUE (KELVIN) ON H.C. Petition for writ of habeas corpus denied
S111452	BELL (HORACE) ON H.C. Petition for writ of habeas corpus denied
S111458	PEREZ (ROBERT) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111461	MEDINA (JULIAN) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111462	LIGGINS (ARTHUR C.) ON H.C. Petition for writ of habeas corpus denied with citation(s)

S111474	MEDINA (TONY) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111488	CAMPBELL (WILLIAM E.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111500	GONZALEZ (MARIO) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111535	BERRINGER (ANTHONY S.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111540	XIONG (KOU CROW) ON H.C. Petition for writ of habeas corpus denied
S111548	HARRIS (MICHAEL D.) ON H.C. Petition for writ of habeas corpus denied
S111554	GAXIOLA (RICARDO M.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111555	MENDOZA (ARNULFO P.) ON H.C. Petition for writ of habeas corpus denied
S111568	SIMPSON (MICHAEL) ON H.C. Petition for writ of habeas corpus denied
S111574	MASON (CLARK E.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111576	COCHRAN (SAMMY) ON H.C. Petition for writ of habeas corpus denied

S111578	GADIANE (MELCHOR N.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111587	RAMIREZ (MARCOS A.) ON H.C. Petition for writ of habeas corpus denied
S111612	HERNANDEZ (GABRIEL L.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111616	MILLER (LAWRENCE L.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111620	LOGGINS (KEVIN) ON H.C. Petition for writ of habeas corpus denied
S111624	JACKSON (JOSEPH) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111631	BERMUDEZ (FELIX M.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111667	MADRIGAL (JOSE L.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111671	MILTON (AARON DALE) ON H.C. Petition for writ of habeas corpus denied
S111673	WILLIS (ROBERT) ON H.C. Petition for writ of habeas corpus denied

S111681

FINNEY (MICHAEL) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

S111683

MILLION (CHARLIE L.) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

S111688

RENARD (ALAN) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

S111694

MILLION (CHARLIE L.) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

S111699

ESCAMILLA (LEONARD) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

S111703

CHIVERS (GERALD) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

S111713

PENNEWELL (VALIN) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

S111715

ANDERSON (LAVERNE S.) ON H.C.
Petition for writ of habeas corpus denied

S111740

ARTEAGA (PETER M) ON H.C.
Petition for writ of habeas corpus denied

S111746

RODRIGUEZ (OSCAR) ON H.C.
Petition for writ of habeas corpus denied

S111748

BURNETT (ANDREW) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

S111755

LEONARD (EDWARD) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

S111774

VINDIOLA (FRED) ON H.C.
Petition for writ of habeas corpus denied

S112508

MILLION (CHARLIE LEE) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

S114001

LEONARD(EDWARD) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

S114013

MEDINA (TONY) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

S114176

BELL (HORACE) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

S112430

A098115 First Appellate District,
Division Five

DAW v. DIRECTOR OF DMV
Publication request denied (case closed)

S112814

B161418 Second Appellate District,
Division One

FELDMAN v. S.C. (MCCREEDY)
Publication request denied (case closed)

S112918

D040486 Fourth Appellate District,
Division One

PALMER v. S.C. (SHARP REES-STEALY MED.)
Depublication request denied (case closed)

Werdegar, J., and Chin, J., were recused and
did not participate.

S113408

A098306 First Appellate District,
Division Five

LEVY v. DAVIS, as GOVERNOR et al.
Publication request denied (case closed)

S113652

G029584 Fourth Appellate District,
Division Three

SWANSON v. SHELTER INSURANCE
Publication request denied (case closed)

S107791

F036844 Fifth Appellate District

PEOPLE v. BUTLER
Extension of time granted

Appellant's time to serve and file the
supplemental letter brief is extended to and
including April 21, 2003.
No further extensions will be granted.

S113725

B161305 Second Appellate District,
Division One

DISCOVER BANK v. S.C. (BOEHR)
Application to appear as counsel pro hac vice granted

The application of Paul Bland of the State of
Maryland for admission pro hac vice to appear
on behalf of real party in interest Christopher
Boehr is hereby granted. (See Cal. Rules of
Court, rule 983.)

S026408

PEOPLE v. LYNCH (FRANKLIN)
Order filed

Defendant's "Motion for *Marsden* Hearing and
Recusal of the Entire State Public Defenders
Office," filed February 21, 2003, is denied.
The Office of the State Public Defender's
"Motion to File Counsel's Response to Pro Se
Motion for Marsden Hearing and Recusal of
the Entire State Public Defenders Office
Under Seal and to File Appellant's Pro Se
Motion Under Seal" is

granted as to counsel's response. The motion is denied in all other respects.

S026634

PEOPLE v. WATKINS (PAUL S.)
Order filed

Due to clerical error, the order filed on February 3, 2003, is amended to read as follows:

Good cause appearing, and based upon Deputy State Public Defender Nina Rivkind's representation that she anticipates filing appellant's opening brief by 10/31/2003, counsel's request for an extension of time in which to file that brief is granted to April 8, 2003. After that date, only four extensions totaling about 210 additional days will be granted.

S103633

A093589 First Appellate District,
Division Five

PEOPLE v. MELONEY
Request for judicial notice granted

S109219

C037645 Third Appellate District

DEPARTMENT OF FINANCE v. STATE
MANDATES (KERN HIGH SCHOOL DIST.)
Request for judicial notice granted

S109642

A096442 First Appellate District,
Division Five

GUILLORY v. S.C. (PEOPLE)
Request for judicial notice granted

S113303

C042822 Third Appellate District

ROBERTSON v. W.C.A.B.; MOUNTAIN PEOPLE'S
Order filed

The order filed granting and transferring this matter on March 19, 2003, is further amended to read: "Petition for review Granted.

The matter is transferred to the Court of Appeal, Third Appellate District, with directions to vacate its summary denial and to issue a writ of review to be heard before that court when the proceeding is ordered on calendar."

S113359

G028272 Fourth Appellate District,
Division Three

NOLAN v. ANAHEIM, CITY OF
Order filed

In order to conform to the format prescribed by the California Style Manual (Cal. Style Manual (4th ed. 2000) & 6:3), the above entitled matter is retitled as follows: STEVEN W. NOLAN, Plaintiff and Respondent, v. CITY OF ANAHEIM, Defendant and Appellant.

S114853

HISTON v. S.C.; PEOPLE
Transferred to CA 2

The above entitled matter is transferred to the Court of Appeal, Second Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition shall be denied.

**SUPREME COURT CALENDAR
SAN FRANCISCO SESSION
MAY 6, 7 and 8, 2003**

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom, located at 350 McAllister Street, Fourth Floor, San Francisco, California, on May 6, 7 and 8, 2003.

TUESDAY, MAY 6, 2003 – 9:00 A.M.

S109219 Department of Finance v. Commission on State Mandates;
 Kern High School District
S098660 Lantzy v. Centex Homes
S104614 In re Varnell on Habeas Corpus

1:30 P.M.

S104157 Hameid v. National Fire Insurance
S099479 Lund v. San Joaquin Valley Railroad - (*Baxter, J., not participating,*
 Premo, J., assigned Justice Pro Tempore.)
S040575 People v. Delaney G. Marks (Automatic Appeal)

WEDNESDAY, MAY 7, 2003 – 9:00 A.M.

S102671 Sharon S. v. Superior Court, County of San Diego; Annette F. (R.P.I.)
S099557 In re Zeth S.
S103633 People v. Meloney

1:30 P.M.

S105762 People v. Flores
S104997 Palmer v. GTE California - (*Werdegart, J., not participating,*
 Richli, J., assigned Justice Pro Tempore.)
S016719 People v. Ralph Michael Yeoman (Automatic Appeal)

THURSDAY, MAY 8, 2003 – 9:00 A.M.

S107521 Fernandez v. Lawson
S023628 People v. John Sapp (Automatic Appeal)

GEORGE

Chief Justice

If exhibits are to be transmitted to this court, counsel must comply with Rule 18(c), California Rules of Court.